

ASSAULTS, THREATS, AND VIOLENCE AGAINST EMPLOYEES

1086

(No. 56 November 1999)

DEPARTMENT POLICY

1086.1

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The California Department of Forestry and Fire Protection (CAL FIRE) strives to provide all employees with a safe, healthy, and productive work environment. It is CAL FIRE's policy that intimidation, threats, assaults, and acts of violence in the workplace or affecting the work situation are unacceptable and **will not be tolerated**. This **zero tolerance policy applies equally** to the behavior of permanent employees, seasonal and contract/temporary employees, and non-employees conducting business on CAL FIRE property or with CAL FIRE personnel.

An employee who intimidates, threatens, or takes violent actions against others will be subject to adverse action up to, and including, termination. The department will take other intervention by State or local law enforcement agencies.

Every effort should be made to resolve the conflict at the lowest possible level. Depending on the level of perceived threat, this may be done directly to the individual making the statements or with the assistance of a third party.

DEFINITION

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California Occupational Safety and Health (Cal-OSHA) requires employers to provide a place of employment free from recognized hazards that are likely to cause death or serious physical harm to the employees. The psychological harm caused by threats, intimidation, and verbal abuse can be as serious as any physical attack. A "credible threat" is defined in Penal Code Section 646.9, as a verbal or written threat, including those performed through the use of an electronic communication device, or a threat implied by a pattern of conduct or a combination of statements and conducts made with the intent to place the person in reasonable fear for his/her safety or the safety of his/her family.

SPECIFIC EXAMPLES OF PROHIBITED CONDUCT

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Some examples of conduct that may be considered "threats or acts of violence," prohibited by this policy, are as follows:

- Hitting, shoving, or throwing any object at an individual.
- Threatening to harm an individual or his/her family, friends, associates, or their property. Any threat (or even attempted threat) or consummated act of violence may be delivered in person, in writing, over the phone, or via electronic communication.

- The intentional destruction of or threat to destroy property owned, operated, or controlled by the State of California.
- Sexual harassment can also be a form of violence if it involves any unwanted physical contact.
- Intimidating or attempting to coerce an employee to perform wrongful acts that could harm employees or property of the State of California or other government agencies, or the public.
- Harassing surveillance, also known as stalking.
- Engaging in loud, disruptive behavior which may include profanity or obscenities.
- Reference to possession of firearms, weapons, or any other dangerous devices in a way that suggests a threat.

AUTHORITY

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Authority for this policy is provided by the following:

- Government Code Sections 19572 and 14623.7.
- Labor Code Section 6401.7.
- California Code of Civil Procedure Section 527.8.
- California Code of Regulations, Title 8, Section 3203.
- Penal Code Sections 171b, 387, 646.9.
- CAL FIRE Injury and Illness Prevention Program (IIPP).

RESPONSIBILITY

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Each employee, when he or she feels threatened, provoked, or intimidated by an incident(s), or witnesses or becomes aware of such incident(s) is responsible for notifying his or her manager. Depending on the severity of the incident/hazard/threat the following procedure should be followed:

- If it is an emergency, 911 should be called and the California Highway Patrol (CHP) should be contacted immediately.
- An individual bears the responsibility to either confront and/or report threatening or violent behavior to resolve the conflict at the lowest possible level.

- If the incident cannot be resolved at the lowest possible level, an investigation may be conducted and documented by the management. A report should be forwarded to the Region/Unit or Headquarters. If the issue cannot be resolved at Region/Unit or Headquarters, a report shall be sent up the chain of command.

WORKPLACE SECURITY PLAN

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All CAL FIRE work sites shall have a workplace security plan as part of their Injury and Illness Prevention Program (IIPP). Cal-OSHA's model workplace security plan may be adapted for use in the work site's IIPP. See Health and Safety Handbook [Section 1763](#) for additional information about the State Employees Protection Program.

WORKPLACE SECURITY TRAINING

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Employees should be trained on workplace security policies and procedures. This may also include presentations by local law enforcement agencies. In addition, the procedures should be conducted as follows:

- New hires will be provided with a copy of this policy in their orientation package. This policy will be reviewed by the employee, and if needed, discussed with/by the supervisor.
- Whenever there is a change in procedure, the employee will be updated and, if needed, re-trained.
- If an audit shows deficiencies in the procedure/plan, the procedure/plan should be corrected as soon as possible. The affected employees should be updated and informed.
- If an office/location has unique conditions based on its type of operation or service for which there are certain workplace security guidelines, the employees new to that location should be informed.
- Documentation of workplace security training shall be maintained with employee training records.

INSPECTIONS

1086.8

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Inspections for workplace security hazards shall be part of required periodic scheduled worksite inspections (see Health and Safety Handbook [Section 1762](#)).

If applicable to the location, this should include the interior and exterior of the workplace for adequacy of security systems, access to the worksite by employees and non-employees, and the availability of safe emergency escape routes.

POST INCIDENT RESPONSE

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When a violent incident occurs, many are affected: the victim, witnesses, bystanders, as well as friends, relatives, and co-workers. To avoid long-term difficulties following a violent event, certain follow-up responses and interventions must take place. Two programs to assist in such situations are the CAL FIRE Employee Support Services Program and Employee Assistance Program (EAP). They offer Critical Incident Stress Debriefing. To contact the CAL FIRE Employee Support Services Program call 209-274-5506 or to contact EAP call 1-866-327-4762.

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